

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 28, 2000

DIVISION ONE

B142626 Cedars-Sinai Imaging Medical Group (Certified for Publication)
v.
Superior Court, Los Angeles County
(Sheila G. Moore, r.p.i.)

The petition is granted. Let a peremptory writ of mandate issue to compel the trial court to vacate each and every order made in this case after January 26, 2000. The parties are to pay their own costs of these writ proceedings.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B137663 Los Angeles County, D.C.S. (Not for Publication)
c/w v.
B138952 Candee F.

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Mallano, J.

September 28, 2000-Continued

DIVISION ONE (Continued)

[illegible]

The order (judgment) is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B136253 People (Not for Publication)
v.
Zelenika

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Mallano, J.

B136627 People (Not for Publication)
v.
Taylor

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Mallano, J.

DIVISION ONE (Continued)

B136056 Treva Holland (Not for Publication)

v.

American Federation of Television and Radio Artists

The judgment is affirmed. AFTRA is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Mallano, J.

B134580 People (Not for Publication)

v.

Carter and Robinson

The judgments are affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B137979 People (Not for Publication)

v.

Jackson

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

September 28, 2000-Continued

DIVISION ONE (Continued)

B136173 Lomeli, et al. (Not for Publication)
v.
Kaiser Foundation Health Plan, Inc., et al.

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B135084 Zelman Skadron as Administrator, etc. (Not for Publication)
v.
Wayne Burnette, et al.

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B140197 Oakwood Capital Management, et al. (Not for Publication)
v.
Superior Court, Los Angeles County
(RNC Capital Management LLC, r.p.i.)

THE COURT:

THEREFORE, let a peremptory writ issue, commanding respondent superior court to vacate its order of March 7, 2000, denying petitioners' motion for summary judgment, and to issue a new and different order granting same, in Los Angeles Superior Court case No. BC193078, entitled RNC Capital Management LLC v. Oakwood Capital Management LLC, et al.

In all other respects, the petition is denied. The temporary stay order is hereby terminated. Each party is to bear its own costs.

Spencer, P.J., Ortega, J., Vogel (Miriam A.), J.

DIVISION TWO

Court convened at 9:00 AM

Present: Boren, P.J., Nott, J., Cooper, J., Todd, J. and Villanueva, Deputy Clerk.

Each of the following:

B131959 People v. Gaddy
B139649 People v. Amos
B136793 People v. Henderson
B131733 People v. Curtis
B137796 People v. Jones
B136069 People v. Cameron
B129643 People v. Eley
B137240 People v. Olson
B134053 People v. Carr
B138875 People v. Callandret
B136796 People v. Hawkins
B132216 People v. Gonzalez
B132334 Postal Instant Press v. Holtzman
B138203 People v. Seitz
B137409 People v. Pelayo
B139079 People v. Mario A.
B139484 People v. Alejandro B.
B138693 People v. Williams
B138962 In re Vanya B.
B139041 People v. Barry F.
B139703 In the Matter of: Moya J.
B142748 Angela A. v. Superior Court L.A. Co.
B135715 In the Matter of: Demetry A.
B137440 In the Matter of: Sammie G.
B132547 People v. Ramirez
B137176 In the Matter of: Larhonda B.
B138447 In the Matter of: Richard D.
B134660 People v. Moore
B139247 People v. Joshua
B137986 People v. Felix
B136236 People v. Flores
B129037 Snyder & Archuletta v. Smith & Sons
B134800 Cook v. Calif Fair Plan Assoc.
B131997 Nam v. ARB Inc.

Argument waived, cause submitted.

DIVISION TWO (Continued)

B137394 Joseph Runnel
 v.
 Danz, et al.

Merits:
Argued by Joseph Runnel, appellant in propria persona, and by Robert Donaldson for respondent. Cause submitted.

B136844 People
 v.
 Estrella

Merits:
Argued by Michael Young for appellant and by David Wildman, Deputy Attorney General for respondent. Cause submitted.

B129261 County of L.A.
 v.
 Neptune Marina

Merits:
Argued by Stephen Wiman for appellant and by Allan Cooper for respondent. Cause submitted.

B137949 Samsonovich
 v.
 Wawanesa Ins Co.

Merits:
Argued by Nikki Fong for appellant and by Everett Skillman for respondent. Cause submitted.

B138602 Towers Urinary etc.
 v.
 Roxy 15 LLC

Merits:
Argued by John Tasker for appellant and by Jan Yoss for respondent. Cause submitted.

DIVISION TWO (Continued)

B134111 Hayes
 v.
 Tierra Del Sol

Merits:
Argued by Neville Tucker for appellant and by Frank Magnanino for respondent. Cause submitted.

B134938 Vaughn
 v.
 Mercury Ins.

Merits:
Argued by Richard Morgan for appellant and by Donna Geck for respondent. Cause submitted.

B133789 Nat'l Union Fire Ins.
 v.
 Sosa

Merits:
Argued by Terry Anastassiou for appellant and by Darine Martirosian for respondent. Cause submitted.

B124703 Gold
 v.
 CBS

Merits:
Argued by Robert Moest for appellant and by Andrew White for respondent. Submission deferred for sixty days.

B130701 EquilonEnterprises
 v.
 Consumer Cause

Merits:
Argued by Leslie Landau for appellant and by Reuben Yeroushalmi for respondent and Edward Weil, Deputy Attorney General for Amicus Curiae. Cause submitted.

DIVISION TWO (Continued)

B141231 Fine
 v.
 Superior Court, L.A. Co.
 Yaffe, et al.

Merits:

Argued by Richard Fine, appellant in propria persona, and by Fred Bennett, Court Counsel for respondent Superior Court and Robert Fisher for respondent Yaffe. Cause submitted.

Court recessed at 12:30 pm

Court reconvened at 1:00 pm

Present: Boren, P.J., Nott, J., Cooper, J., Todd, J. and Mayfarth, Deputy Clerk

B136019 Dunwell Computer
 v.
 Tai Jue Ta System, Inc.

Merits:

Argued by Larry Henson for appellant and Jay Oberholtzer for respondent. Cause submitted.

B137400 The People
 v.
 Michael Ross P.

Merits:

Argued by Jan Norman for appellant and April Rylaarsdam, deputy attorney general for respondent. Cause submitted.

DIVISION TWO (Continued)

B140203 Beitler, et al.

v.

Superior Court of Los Angeles County
Westwood Village Development Company
Steven Fink

Merits:

Argued by Joshua Levine for petitioners, Jeffrey Markel for real party in interest Westwood Village Development Company, and Robyn Johnson for real party in interest Steven Fink. No appearance for respondent Superior Court. Cause submitted.

Justice Todd leaves the bench.

B141845 Farmers Insurance Exchange

v.

Superior Court of Los Angeles County
Xuereb, et al.

Merits:

Argued by Bruce Warren for petitioner and Ronald Papell for real party in interest. No appearance for respondent Superior Court. Cause submitted.

B134385 Public Communications Services

v.

Board of Supervisors of Los Angeles County
Pacific Bell

Merits:

Argued by James Thompson for appellant, Gordon Trask for respondent Board of Supervisors of Los Angeles County and Bart Kimball for Respondent Pacific Bell. Cause submitted.

Court adjourned at 3:00 p.m.

DIVISION TWO (Continued)

B135663 People
 v.
 Burgos

Filed order vacating filing of opinion and ordering the court to refile it as of this date.

B132141 People
 v.
 Dulaney

Filed order vacating filing of opinion and ordering the court to refile it as of this date.

B135663 People (Not for Publication)
 v.
 Burgos

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

B132141 People (Not for Publication)
 v.
 Dulaney

The case is remanded to the trial court with directions to strike the \$10,000 parole revocation fine from each appellant's abstract of judgment, and to forward amended abstracts of judgment to the Department of Corrections. In all other respects, the judgments are affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

DIVISION THREE

[illegible]

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B134652 People (Not for Publication)
v.
Peterson

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B135062 People (Not for Publication)
v.
James R.

The order under review is affirmed, except that the case is remanded for the limited purpose of permitting the trial court to expressly and orally declare whether count one was a felony or misdemeanor, and for possible recalculation of appellant's maximum theoretical period of confinement.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B132648 Crivello (Not for Publication)
v.
Gryphon Insurance Group

The judgment is reversed, and the order awarding monetary sanctions is affirmed. Crivello shall recover her costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B126659 Federation of Hillside & (Certified for Publication)
Canyon Associations, et al.
v.
City of Los Angeles, et al.

We reverse the judgment denying the petition for writ of mandate and remand the matter to the trial court with directions to grant the petition for a peremptory writ of mandate vacating the city's approval of the GPF and specifying what actions by the city are necessary to comply with CEQA as stated in this opinion. Petitioners shall recover their costs on appeal.

Croskey, Acting P.J.

We concur: Kitching, J.
Aldrich, J.

B132685 People
v.
Yorker

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B125574 People (Not for Publication)
v.
Cardenas

The opinion of this court filed on December 17, 1999, is vacated. On consideration after remand by the Supreme Court, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B139946 Ramirez (Not for Publication)
v.
San Pedro Rentals

The judgment is reversed. Appellant is to have her costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B130796 Davis (Not for Publication)
v.
Civil Service Commission of the County of LA

The judgment is affirmed. Costs on appeal are awarded to respondents.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

September 28, 2000-Continued

DIVISION FOUR (Continued)

B119289 Hagan (Not for Publication)

V.

Archdiocese of Los Angeles

The judgment is reversed and the matter remanded. Costs are awarded to appellant.

Hastings, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

B135396 Stuparich (Certified for Publication)

V.

Harbor Furniture MFG.

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

DIVISION FIVE

B136567 People (Not for Publication)

V.

John Howard

The judgment is affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.
Godoy Perez, J.

DIVISION FIVE (Continued)

B134949 GFI Commercial Mortgage (Not for Publication)
v.
Jagdish Amar et al.

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Grignon, Acting P.J.
Godoy Perez, J.

B130606 William Kelleher (Not for Publication)
v.
Richard Allen et al.

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
Godoy Perez, J.

B134246 James De Jarnette (Not for Publication)
v.
Farmer's Insurance Exchange et al.

The judgment is affirmed. De Jarnette is to pay Farmer's costs on appeal.

Grignon, Acting P.J.

I concur: Armstrong, J.
I dissent: Godoy Perez, J. (Opinion)

DIVISION FIVE (Continued)

B126806 A-Line International Realty, Inc. (Not for Publication)
 v.
 Millar Elevator Service Company

The judgment is affirmed as to liability. The damage award in favor of A-Line is reversed, as is the order denying A-Line its attorney fees. The matter is remanded to the trial court for retrial of the damages recoverable by A-Line under the contracts, as well as for an award of A-Line's attorney fees. Each party is to bear its own costs on appeal.

Armstrong, J.

We concur: Grignon, Acting P.J.
 Godoy Perez, J.

DIVISION SIX

B142615 Samantha C. (Not for Publication)
 v.
 San Luis Obispo Superior Court
 (San Luis Obispo County DPSS, R.P.I.)

Petition denied by opinion.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

DIVISION SIX (Continued)

B132984 People (Not for Publication)
v.
Zizumbo

The judgment is modified to provide that, as to count 2, Zizumbo is sentenced to state prison for a term of life with the possibility of parole, plus seven years due to enhancements pursuant to sections 12022.5 and 12022.7. The life sentence and time imposed on the applicable enhancements is again stayed. As so modified, the judgment is affirmed. The trial court is directed to send an amended abstract of judgment to the Department of Corrections.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B141436 People (Not for Publication)
v.
Chambers

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B128004 Jeanson
v.
Somekh

Filed order modifying opinion. (No change in the judgment)